

RESPONSE UNDER 37 CFR §1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1638

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:
STEPHEN M. ALLEN ET AL.

CASE NO.: BB1157USCNT

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APPLICATION NO.: 10/659,199

GROUP ART UNIT: 1638

AUG 31 2006

FILED: SEPTEMBER 10, 2003

EXAMINER: KUBELIK, ANNE R.

CONFIRMATION NO.: 5569

CUSTOMER NO.: 23906

FOR: A NUCLEIC ACID ENCODING
A WHEAT BRITTLE-1 HOMOLOG

RESPONSE AFTER FINAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is an Amendment and Response to the Final Office Action mailed March 8, 2006. A petition for a three-month extension and a Request for Continued Examination is filed simultaneously herewith.

Please amend the above-referenced application as follows and consider the following remarks:

Amendments to the Claims are reflected in the listing of the claims which begins on page 2 of this paper.

Remarks begin on page 3 of this paper.